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TEL: +886-2-8923-7350

FAX: 806-498-6673

e-mail: winstonhsu@naipo.com

**FAX TO: SHERKAT, AREZOO
ART UNIT: 2131**

**Tel: (703) 305-8749
Fax: (703) 872-9306**

FROM: Winston Hsu, PATENT AGENT, REG. NO.: 41,526

SERIAL NO.: 09/682,310

ATTORNEY DOCKET NO.: ASTP0016USA

**SUBJECT: Response to the Office action dated
07/20/2004**

TOTAL PAGES: 6 PAGES (INCLUDING COVER PAGE)

Winston Hsu 2004/10/20

ASTP0016USA0_A2_1

PTO/SB/97 (09-04)

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(1) Transmittal Form	1 PAGE
(2) Fee Transmittal	1 PAGE
(3) Response to Office Action	2 PAGES

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (09-04)

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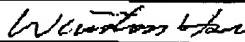
Total Number of Pages in This Submission

4

Application Number	09/682,310
Filing Date	08/16/2001
First Named Inventor	Sam Shlaw-Shiang Jiang
Art Unit	2131
Examiner Name	SHERKAT, AREZOO
Attorney Docket Number	ASTP0016USA

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	North America Intellectual Property Corporation		
Signature			
Printed name	Winston Hsu		
Date	10/20/2004	Reg. No.	41,526

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PTO/SB/17 (10-04)

Approved for use through 07/31/2008. OMB 0651-0032
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FEE TRANSMITTAL

for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0.00)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number 50-3105
Deposit Account Name North America Intellectual Property Corp.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$0.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims Fee from below	Fee Paid
	-20** =	
	- 3** =	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$0.00)		

*or number previously paid, if greater. For Reissues, see above

Complete If Known	
Application Number	09/682,310
Filing Date	08/16/2001
First Named Inventor	Sam Shiaw-Shiang Jiang
Examiner Name	SHERKAT, AREZOO
Art Unit	2131
Attorney Docket No.	ASTP0016USA

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 680	2503 330	Plant issue fee	
1480 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$0.00)	

(Complete if applicable)			
Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526
Signature	<i>Winston Hsu</i>	Date	10/20/2004

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OCT 20 2004

PREVENTING SHORTENED LIFETIMES OF SECURITY KEYS IN A WIRELESS COMMUNICATIONS SECURITY SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Subject: Response to the Office action of July 20, 2004

5

Sir:

In response to the Office action of July 20, 2004, the Applicant wishes to draw the Examiner's attention to the filing dates of the cited references in the following rejection:

10 Claims 1-9 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,728,529 in view of Jiang, U.S. Publication No. 2003/0035545.

15 The above obviousness rejection relies in part upon U.S. Publication No. 2003/0035545, filed August 20, 2001, while the first cited reference, U.S. Patent No. 6,728,529, shares

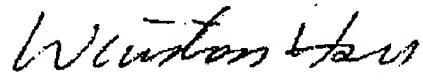
Appl. No. 09/682,310
Amdt. dated October 20, 2004
Reply to Office action of July 20, 2004

the same filing date as the instant application (August 16, 2001). The Applicant asserts that U.S. Publication No. 2003/0035545 should not be relied upon to form an obviousness-type rejection because, having filing date later than the instant application, it

5 is not a valid reference. Reconsideration of claims 1-9 is politely requested.

Sincerely yours,

10



Date: October 20, 2004

Winston Hsu, Patent Agent No. 41,526

15 P.O. BOX 506

Merrifield, VA 22116

U.S.A.

Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

20 (Please contact me by e-mail if you need a telephone communication and I will return your call promptly.)